

DEC 22 2004

FULBRIGHT & JAWORSKI L.L.P.

A REGISTERED LIMITED LIABILITY PARTNERSHIP
600 CONGRESS AVENUE, SUITE 2400
AUSTIN, TEXAS 78701-3271
WWW.FULBRIGHT.COM

FACSIMILE TRANSMISSION**DATE:** December 22, 2004**MATTER NUMBER:** 10402152

UTXC:789US

RECIPIENT:	FAX No.:	PHONE No.:
Commissioner for Patents U.S. Patent Office	703/872-9306	703/308-1202

FROM: Martha A. Robinson**USER ID:** 10031 **FLOOR:** 20**PHONE:** (512) 536-5616**FAX:** (512) 536-4598**RE:** CUSTOMER NO. 32425, Revocation and Substitute Power of Attorney**NUMBER OF PAGES WITH COVER PAGE:** 5 **Originals Will Not Follow****Message:**

Please enter in the following matter:

U.S. Patent Application No.10/781,057, entitled "*DIELECTRIC PARTICLE FOCUSING*", by Gascoyne et al.

Thank you for your attention to this matter.

CAUTION - CONFIDENTIAL

THE INFORMATION CONTAINED IN THIS FACSIMILE IS CONFIDENTIAL AND MAY ALSO CONTAIN PRIVILEGED ATTORNEY-CLIENT INFORMATION OR WORK PRODUCT. THE INFORMATION IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHOM IT IS ADDRESSED. IF YOU ARE NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY USE, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THE FACSIMILE IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ADDRESS ABOVE VIA THE U.S. POSTAL SERVICE. THANK YOU.

**IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL
MARTHA ROBINSON AT 512/536-5616 AS SOON AS POSSIBLE.**

**RECEIVED
CENTRAL FAX CENTER**

DEC 22 2004

**PATENT
Customer ID: 32425****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Peter R.C. Gascoyne
Jody V. Vykoukal

Group Art Unit: 1753

Examiner: Unknown

Serial No.: 10/781,057

Atty. Dkt. No.: UTXC:789US

Filed: February 18, 2004

For: DIELECTRIC PARTICLE FOCUSING

**ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73
AND POWER OF ATTORNEY**Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The undersigned, being Assignee of record of the entire interest in the above-identified application by virtue of an assignment recorded in the United States Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors.


The Assignee hereby revokes any previous Powers of Attorney and appoints all attorneys or agents associated with Customer Number 32425, each of whom is an attorney or agent with the firm of FULBRIGHT & JAWORSKI L.L.P., as its attorney or agent, for so long as they remain with such firm, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent.

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to Board of Regents, The University of Texas System, referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Please direct all communications as follows:

Michael C. Barrett
FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
512/474-5201

ASSIGNEE:
BOARD OF REGENTS, THE UNIVERSITY
OF TEXAS SYSTEM

By: 
Name: Steven R. Collins
Title: Vice Chancellor and General
Counsel

Date: December 15, 2004

ASSIGNMENT:

☒ Concurrently filed
☐ Previously recorded
Date: _____
Reel: _____
Frames: _____

PATENT
FILE NO. UTXC:789US

ASSIGNMENT

FOR GOOD AND VALUABLE CONSIDERATION, the receipt, sufficiency and adequacy of which are hereby acknowledged, the undersigned, do hereby:

SELL, ASSIGN AND TRANSFER to BOARD OF REGENTS, THE UNIVERSITY OF TEXAS SYSTEM (the "Assignee"), having a place of business at 201 West 7th Street, Austin, Texas 78701, the entire right, title and interest for the United States and all foreign countries in and to any and all improvements which are disclosed in the application for United States Letters Patent, Serial No. 10/781,057 which has been filed on February 18, 2004 and is entitled "DIELECTRIC PARTICLE FOCUSING", such application and all divisional, continuing, substitute, renewal, reissue and all other applications for patent which have been or shall be filed in the United States and all foreign countries on any of such improvements; all original and reissued patents which have been or shall be issued in the United States and all foreign countries on such improvements; and specifically including the right to file foreign applications under the provisions of any convention or treaty and claim priority based on such application in the United States;

AUTHORIZE AND REQUEST the issuing authority to issue any and all United States and foreign patents granted on such improvements to the Assignee;

WARRANT AND COVENANT that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been or will be made to others by the undersigned, and that the full right to convey the same as herein expressed is possessed by the undersigned;

COVENANT, when requested and at the expense of the Assignee, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all such improvements; execute all rightful oaths, declarations, assignments, powers of attorney and other papers; communicate to the Assignee all facts known to the undersigned relating to such improvements and the history thereof; and generally do everything possible which the Assignee shall consider desirable for vesting title to such improvements in the Assignee, and for securing, maintaining and enforcing proper patent protection for such improvements;

TO BE BINDING on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.

Signature: Peter Gascoyne
Name: Peter R.C. Gascoyne

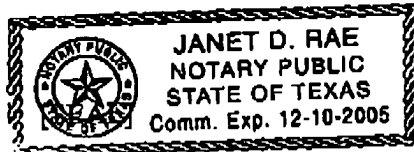
Date: December 10, 2004

STATE OF

COUNTY OF

Harris) ss.

BEFORE ME, the undersigned authority, on this 10th day of December, 2004 personally appeared Peter R.C. Gascoyne, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same of his/her own free will for the purposes and consideration therein expressed.



Janet D. Rae
Notary or Consular Officer

Signature: Jody V. Vykoukal

Name: Jody V. Vykoukal

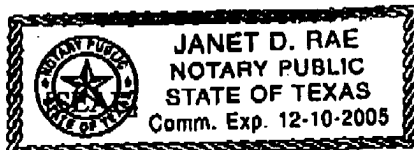
Date: 10 December 2004

STATE OF

COUNTY OF

Harris) ss.

BEFORE ME, the undersigned authority, on this 10th day of December, 2004 personally appeared Jody V. Vykoukal, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same of his/her own free will for the purposes and consideration therein expressed.



Janet D. Rae
Notary or Consular Officer

FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701